

TEXT OF MODIFIED REGULATIONS

TITLE 3. CALIFORNIA CODE OF REGULATIONS  
CHAPTER 2. PESTICIDES  
SUBCHAPTER 3. ASSESSMENTS  
ARTICLE 1. MILL ASSESSMENT COLLECTION

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Current wording is indicated by regular type.

Proposed deletions are indicated by ~~strikeout~~.

Proposed additions are indicated by underline.

New proposed additions are indicated by **bold double underline**.

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Amend section 6388 to read:

**6388. Pesticide Sales and Assessment Reporting.**

(a) Each registrant shall report quarterly to the Department the total dollars of sales and total pounds or gallons of each registered and labeled pesticide product sold by the registrant for use in this State and the total assessments due. Each report of pesticide sales and assessment shall be on a form prescribed by the Department or in a format approved by the ~~ad~~Director.

(b) An acceptable Department form for reporting the pesticide sales is form "Report of Pesticide Sales in California," PR-ENF-181 (Est. 8/91). The information to be reported shall include the following:

- (1) The ending and delinquent date of the quarter being reported;
- (2) The name, address and U.S. Environmental Protection Agency (U.S. EPA) firm number of the registrant;
- (3) The U.S. EPA or State registration number and brand name of each product registered and sold for use in the State; and

- (4) The total dollar sales and total pounds or gallons of each formulated product sold.

(c) An acceptable form for reporting the pesticide mill assessments is form "Report of Pesticide Mill Assessments in California," PR-ENF-180 (Est. 8/91). The information to be reported shall include the following:

- (1) The ending and delinquent date of the quarter being reported;
- (2) The name, address and U.S. EPA firm number of the registrant;
- (3) The total dollar sales for all products registered and sold for use in the State during the quarter;
- (4) The pesticide mill assessment rate;
- (5) The total assessments and penalty (if applicable) that are due;
- (6) The total amount of payment submitted;
- (7) The name, title, signature, and phone number of the authorized representative completing the form;
- (8) The date when the form was completed; and
- (9) Certification under penalty of perjury that the information contained in the report is true and correct.

~~(d) Whenever three or fewer registrants report sales of a pesticide product containing the same active ingredient, such reports will be considered trade secrets and will not be disclosed by the department.~~

**(d) The individual report specified in (b) and the dollar sales figures associated with a specific product found on the report shall be considered official information acquired in confidence pursuant to Government Code section 6254(f) of the Public Records Act and section 1040 of the Evidence Code.**

NOTE: Authority cited: Section 11456, 12781, and 12845, Food and Agricultural Code.  
Reference: Sections 12843 and 12845, Food and Agricultural Code.